

October 15, 2008

Philip Giudice, Commissioner  
Massachusetts Department of Energy Resources  
100 Cambridge Street, Suite 1020  
Boston, MA 02114

**Re: Comments – Green Communities Act/APS Implementation**

Dear Commissioner Giudice:

The undersigned members of the Massachusetts Climate Coalition appreciate this opportunity to submit comments in response to the Department of Energy Resources' (DOER) request for feedback regarding the implementation of the Alternative Energy Portfolio Standard (APS) pursuant to Section 32 of chapter 169 of Acts of 2008 (the "Green Communities Act").

In addition to the detailed comments submitted by some of the undersigned stakeholders, we write collectively to urge you to implement the APS in a manner that promotes superior environmental performance – i.e., truly *clean* energy – while also delivering economic benefits, consistent with the goals of the Green Communities Act.

The APS has the potential to deliver significant environmental *and* economic benefits by boosting the deployment of proven clean, cost-effective technologies such as combined-heat-and-power (CHP) systems. We respectfully urge DOER to maximize these benefits while ensuring that risky, costly and unproven technologies with questionable environmental attributes, such as coal gasification, are not supported unless and until they meet stringent emissions limits and robust carbon-capture and storage performance standards.

More specifically:

- **CHP**, which effectively captures and uses waste heat created as a by-product of electric generation, is a proven technology that can reduce fuel consumption and greenhouse gas emissions by displacing far less efficient separate electric and heating systems. To deliver the greatest clean energy bang for Massachusetts' ratepayers bucks, the APS standards should be designed to require all eligible technologies to meet the emissions rate of a typical CHP unit. Standards any less stringent than that would be counterproductive to the goals of the Green Communities Act and the Massachusetts Global Warming Solutions Act.

- The clean energy benefits of **flywheel energy storage** (FES) should be maximized, for example by requiring eligible FES to be coupled with non-emitting variable-output renewable energy resources like wind and solar energy – e.g., APS incentives for sale of power from FES units on peak could be tied to the purchase of renewable power (either from on-site or remotely located generation) to spin up the

flywheels off peak. In any event, the emissions rate of qualifying FES units must be inclusive of the emissions from the power as originally generated and not exceed the limit for all qualifying technologies (i.e., the rate of a typical CHP unit).

- Existing **coal gasification** technology is not cost-effective, cannot reasonably be described as “market-ready,” and is likely to increase – not reduce – greenhouse gas emissions and other pollution. The Green Communities Act requires qualifying facilities to capture and permanently store carbon-dioxide, yet this has not been proven feasible anywhere in the United States to date and may never be feasible in Massachusetts. Electric generation relying on gasified coal thus should not be allowed to qualify for the APS until after successful carbon storage and associated reliable monitoring and verification protocols have been established, at a minimum. In addition, the net emissions rate for qualifying electric generation facilities relying on coal gas should be at least as stringent as the proposed emissions standards for state-of-the-art coal gasification facilities with carbon capture and storage, as set forth in pending federal legislation introduced by U.S. Senator John Kerry. Under no circumstances should ratepayers support incentives for facilities that will increase greenhouse gas emissions and move us backward in our efforts to achieve critical emission reductions, especially given that Massachusetts is now required to reduce emissions 10 to 25% below 1990 levels by 2020.

- Electric generation relying on so-called “**paper-derived fuels**” presents significant environmental and public health risks from toxic emissions. In addition, it makes no sense to provide new economic incentives for converting such waste to energy when there are viable recycling options. To minimize environmental impacts and promote a preferable energy cost equation, DOER should (1) work with DEP to ensure that a Beneficial Use Determination (BUD) for electric generation is only granted where recycling or reuse options do not exist; (2) require that such fuels truly be comprised of paper (without coatings or laminates, or foreign materials such as golf balls as were mentioned at the September 29 stakeholder meeting); and (3) set strict emission limits for volatile organic compounds (VOCs), heavy metals, and other potential contaminants.

In short, we respectfully urge DOER to implement the APS in a manner that will reduce both economic and environmental costs of our electricity consumption while advancing the goals of the Green Communities Act, including the goals of meeting at least 25% of the Commonwealth’s electric load with demand side resources (such as CHP) by 2020, reducing fossil fuel use in buildings 10% by 2020, and generally promoting energy efficiency and conservation. DOER also should design the APS with a view toward meeting the requirements of the Global Warming Solutions Act through greenhouse gas emission reductions. Only those technologies with a demonstrated capacity to advance these goals should be eligible for incentives pursuant to the APS.

Sincerely,

**Susan Reid, Director, MA Clean Energy & Climate Change Initiative, *Conservation Law Foundation***

**Ben Wright, Environmental Advocate, *Environment America***

**Martha Dansdill, Executive Director, *HealthLink***

**Roger Shamil, President, *Global Warming Education Network***

**Loie Hayes, Coordinator, *Boston Climate Action Network***

**Nancy Hazard, *WorldSustain***

**Mary Lampert, Director, *Pilgrim Watch***

**Nancy Goodman, Vice President for Policy, *Environmental League of Massachusetts***

**Sandra Gavutis, Executive Director, *The C-10 Research and Education Foundation***

**Pauline Rodrigues, Local Campaign Manager, *Massachusetts Clean Air Coalition***

**Scott Keays, Public Policy Manager, *American Lung Association of Massachusetts***

**Lilah Glick, Global Warming Coordinator, *Clean Water Action***

**Karen Weber, Co-President, *Earth Our Only Home, Inc.***

**Laurie Leyshon, Co-Founder, *Mass. Green Jobs Coalition***

**Sue Phelan, Director, *GreenCAPE***

**Reverend Jack Johnson, Executive Director, *Massachusetts Council of Churches***

**Rob Garrity, Executive Director, *Massachusetts Climate Action Network***

**Hugh Harwell, MRP, Ecological Planner, Designer and Builder, *Sirius Ecovillage***

**Barbara Hill, *Clean Power Now***

**Lora Wondolowski, Executive Director, *Massachusetts League of Environmental Voters***

**Jane Winn, Executive Director, *Berkshire Environmental Action Team (BEAT)***

**Susan Altman, *Medford Climate Action Network***

**Nancy Banks, Executive Director, *UU Massachusetts Action Network***

**Judith Van Hamm, President, *Sustainable South Shore***

**Dan Bakal, Director of Electric Power Programs , *Ceres***

**Maria Valenti, Executive Director, *Greater Boston Physicians for Social Responsibility***

**John W. Andrews, President, *Massachusetts Coalition for Healthy Communities***

**Yoni Vendrigger, President, *Students 4 Peace***